

COPY

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled AUDIO ON DEMAND SYSTEM; the specification of which is attached hereto;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: Robert D. Glaser

Inventor's signature Robert D. Glaser

Date 11-22-94

Residence: 737 Lake Washington Boulevard, Seattle, WA 98122

Citizenship: United States

Post Office Address: as above

Full name of second inventor: Mark O'Brien

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 27 Trowbridge, No. 2, Cambridge, MA 02138

Citizenship: United States

Post Office Address: as above

Full name of third inventor: Thomas B. Boutell

Inventor's signature Thomas B. Boutell

Date 11/22/94

Residence: 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102

Citizenship: United States

Post Office Address: as above

Full name of fourth inventor: Randy Glen Goldberg

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 48 Primrose Circle, Princeton, NJ 08540

Citizenship: United States

Post Office Address: as above

Send Correspondence To:  
KNOBBE, MARTENS, OLSON & BEAR  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660-8016

Direct Telephone Calls To:  
Arthur S. Rose

(714) 760-0404

ASR-3878:ss2  
111894

## DECLARATION - USA PATENT APPLICATION

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-----  
Full name of first inventor: Robert D. Glaser

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 737 Lake Washington Boulevard, Seattle, WA 98122

Citizenship: United States

Post Office Address: as above

Full name of second inventor: Mark O'Brien

Inventor's signature Mark O'Brien

Date 11/25/94

Residence: 27 Trowbridge, No. 2, Cambridge, MA 02138

Citizenship: United States

Post Office Address: as above

Full name of third inventor: Thomas B. Boutell

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102

Citizenship: United States

Post Office Address: as above

Full name of fourth inventor: Randy Glen Goldberg

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 48 Primrose Circle, Princeton, NJ 08540

Citizenship: United States

Post Office Address: as above

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Full name of first inventor: Robert D. Glaser

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 737 Lake Washington Boulevard, Seattle, WA 98122

Citizenship: United States

Post Office Address: as above

Full name of second inventor: Mark O'Brien

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 27 Trowbridge, No. 2, Cambridge, MA 02138

Citizenship: United States

Post Office Address: as above

Full name of third inventor: Thomas B. Boutell

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_

Residence: 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102

Citizenship: United States

Post Office Address: as above

Full name of fourth inventor: Randy Glen Goldberg

Inventor's signature Randy Goldberg

Date Nov 25 1994

Residence: 48 Primrose Circle, Princeton, NJ 08540

Citizenship: United States

Post Office Address: as above

Send Correspondence To:  
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Sixteenth Floor  
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Arthur S. Rose

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111894

COPY

PROGNET.001A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Robert D. Glaser, et al )  
Serial No. : Unknown )  
Filed : Herewith )  
For : AUDIO ON DEMAND SYSTEM )  
Examiner : Unknown )

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Hon. Commissioner  
of Patents and Trademarks  
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee indicated below (the "Assignee"). The original Assignment of the above-captioned application from the inventor(s) to the Assignee has been submitted to the Assignment Branch for recordation. A true copy of this Assignment is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee. I have reviewed this Assignment, and to the best of the Assignee's knowledge and belief, the Assignee is the owner of the entire right, title and interest in the above-referenced application.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints Louis J. Knobbe, Registration No. 18,780; Don W. Martens, Registration No. 21,107; Gordon H. Olson, Registration No. 20,319; James B. Bear, Registration No. 25,221; Darrell L. Olson, Registration No. 28,247; William B. Bunker, Registration No. 29,365; William H. Nieman, Registration No. 30,201; Lowell Anderson, Registration No. 30,990; Arthur S. Rose, Registration No. 28,038; James F. Lesniak, Registration No. 25,240; Ned A. Israelsen, Registration No. 29,655; Drew S. Hamilton, Registration No. 29,801; Jerry T. Sewell, Registration No. 31,567; John B. Sganga, Jr., Registration No. 31,302; Edward A. Schlatter, Registration No. 32,297; Gerard von Hoffmann, Registration No. 33,043; William C. Rooklidge, Registration No. 31,791; Joseph

Serial No. : Unknown  
Filed : Herewith

R. Re, Registration No. 31,291; John M. Carson, Registration No. 34,303; Andrew H. Simpson, Registration No. 31,469; Daniel E. Altman, Registration No. 34,115; Anita M. Kirkpatrick, Registration No. 32,617; Ernest A. Beutler, Registration No. 19,901; Vito A. Canuso, Registration No. 35,471; William H. Shreve, Registration No. 35,678; Stephen C. Jensen, Registration No. 35,556; Steven J. Nataupsky, Registration No. 37,688; Michael Fedrick, Registration No. 36,799; Michael H. Trenholm, Registration No. 37,743; AnneMarie Kaiser, Registration No. 37,649; Darryl A. Smith, Registration No. 37,723; Edward J. Treska, Registration No. 37,744; Nancy Ways Vensko, Registration No. 36,298; Jonathan A. Barney, Registration No. 34,292; John R. King, Registration No. 34,362; Richard C. Gilmore, Registration No. 37,335; Stephen S. Korniczky, Registration No. 34,853; Myra H. McCormack, Registration No. 36,602; Raimond J. Salenieks, Registration No. 37,924; Renée E. Canuso, Registration No. 36,657; Guy L. Cumberbatch, Registration No. 36,114; and Michael L. Fuller, Registration No. 36,516, Knobbe, Martens, Olson & Bear, 620 Newport Center Drive, Sixteenth Floor, Newport Beach, California 92660, Telephone (714) 760-0404, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please direct all communications relative to said application to the following correspondence address:

Arthur S. Rose  
KNOBBE, MARTENS, OLSON & BEAR  
620 Newport Center Drive  
Sixteenth Floor  
Newport Beach, CA 92660  
Telephone: (714) 760-0404

PROGRESSIVE NETWORKS

Dated: 11-22-94

By:   
Robert D. Glaser

Title: President

Address: 616 First Avenue, Suite 701  
Seattle, WA 98104



**COPY****RECORDATION FORM COVER SHEET  
PATENTS ONLY**

TO THE ASSISTANT COMMISSIONER FOR PATENTS: Please record the attached original documents or copy thereof

1. Name of conveying party(ies): (If multiple assignors, list numerically)

1. Progressive Networks

Additional name(s) of conveying party(ies) attached?

( ) Yes (X) No

2. Name and address of receiving party(ies):

Name: RealNetworks, Inc.

Internal Address: Suite 2900

Street Address: 1111 Third Avenue

City: Seattle State: WA ZIP: 98101

Additional name(s) of receiving party(ies) attached?

( ) Yes (X) No

3. Nature of conveyance:

- ( ) Assignment  
( ) Merger  
( ) Security Agreement  
(X) Change of Name  
( ) Other:

Execution Date: (If multiple assignors, list execution dates in numerical order corresponding to numbers indicated in 1 above)

1. September 25, 1997

4. Application number(s) or Patent number(s):

( ) Application(s) filed herewith Execution Date(s):

(X) Patent Application No.: 08/347,582

Filing Date: November 30, 1994

( ) Patent No.:

Issue Date:

Additional numbers attached? ( ) Yes (X) No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Arthur S. Rose

KNOBBE, MARTENS, OLSON &amp; BEAR, LLP

Customer No. 20,995

Internal Address: Sixteenth Floor

Street Address: 620 Newport Center Drive

City: Newport Beach State: CA ZIP: 92660

Attorney's Docket No.: PROGNET.001A

7. Total fee (37 CFR 3.41): \$40

(X) Enclosed

(X) Authorized to be charged to deposit account if any additional fees are required, or to credit any overpayment

8. Deposit account number: 11-1410

Please charge this account for any additional fees which may be required, or credit any overpayment to this account.

6. Total number of applications and patents involved: 1

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct, and any attached copy is a true copy of the original document.

Arthur S. Rose

Name of Person Signing

Signature

2/26/98

Date

28,038

Registration No.

Total number of pages including cover sheet, attachments and document: 2

Mail documents to be recorded with required cover sheet information to:

Assistant Commissioner for Patents

Box Assignments

Washington, D.C. 20231

# STATE of WASHINGTON



## SECRETARY of STATE

I, **RALPH MUNRO**, Secretary of State of the State of Washington and custodian of its seal,  
hereby issue this

### CERTIFICATE OF AMENDMENT

to

**PROGRESSIVE NETWORKS, INC.**

a Washington Profit corporation. Articles of Amendment were filed for record in this  
office on the date indicated below.

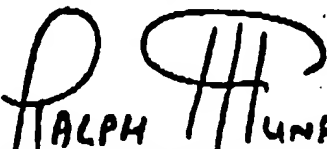
Changing name to **REALNETWORKS, INC.**

UBI Number: 601 523 260

Date: September 25, 1997



Given under my hand and the Seal of the State  
of Washington at Olympia, the State Capital

  
**RALPH MUNRO**  
Ralph Munro, Secretary of State  
2-486789-7

Serial No.: Unknown  
Filing Date: Herewith

COPY

Do Not Record

PATENT  
Client Code: PROGNET.001A  
Page 1

ASSIGNMENT

WHEREAS, We, Robert D. Glaser, a United States citizen, residing at 737 Lake Washington Boulevard, Seattle, WA 98122, Mark O'Brien, A United States citizen, residing at 27 Trowbridge, No. 2, Cambridge, MA 02138, Thomas B. Boutell, a United States citizen, residing at 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102, and Randy Glen Goldberg, a United States citizen, residing at 48 Primrose Circle, Princeton, NJ 08540, have invented certain new and useful improvements in a AUDIO ON DEMAND SYSTEM for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Progressive Networks, a Washington Corporation, with its principal place of business at 616 First Avenue, Suite 701, Seattle, WA 98104, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Progressive Networks, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Progressive Networks, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said Progressive Networks, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Progressive Networks, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of November, 1994.

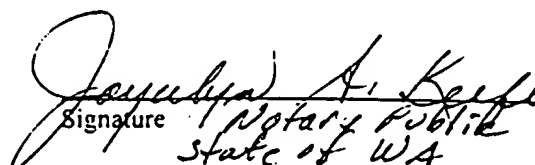
  
Robert D. Glaser

STATE OF WASHINGTON  
COUNTY OF KING ss.

On Nov. 22, 1994, before me, Joyce A. Keefe personally appeared Robert D. Glaser personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Signature Joyce A. Keefe  
Notary Public  
State of WA  
Commission Expires: 10/28/97

Serial No.: Unknown  
Filing Date: Herewith

COPY

Do not Record

PATENT  
Client Code: PROGNET.001A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mark O'Brien

STATE OF

COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mark O'Brien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22<sup>nd</sup> day of Nov., 1994

Thomas B. Boutell  
Thomas B. Boutell

STATE OF WASHINGTON

COUNTY OF KING

]] ss.

On Nov. 22, 1994, before me, Joycelyn A. Keefe personally appeared Thomas B. Boutell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Joycelyn A. Keefe  
Signature  
Notary Public  
State of WA  
Commission Expires: 10/28/97

Serial No.: Unknown  
Filing Date: Herewith

**COPY**  
*Do not Record*

PATENT  
Client Code: PROGNET.001A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Randy Glen Goldberg

STATE OF

COUNTY OF

|| ss.  
||

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Randy Glen Goldberg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

Serial No.: Unknown  
Filing Date: Herewith

COPY

Do Not Record

PATENT  
Client Code: PROGNET.001A  
Page 1

ASSIGNMENT

WHEREAS, We, Robert D. Glaser, a United States citizen, residing at 737 Lake Washington Boulevard, Seattle, WA 98122, Mark O'Brien, A United States citizen, residing at 27 Trowbridge, No. 2, Cambridge, MA 02138, Thomas B. Boutell, a United States citizen, residing at 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102, and Randy Glen Goldberg, a United States citizen, residing at 48 Primrose Circle, Princeton, NJ 08540, have invented certain new and useful improvements in a AUDIO ON DEMAND SYSTEM for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Progressive Networks, a Washington Corporation, with its principal place of business at 616 First Avenue, Suite 701, Seattle, WA 98104, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Progressive Networks, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Progressive Networks, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said Progressive Networks, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Progressive Networks, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert D. Glaser

STATE OF

|| ss.  
||

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert D. Glaser personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

Serial No.: Unknown  
Filing Date: Herewith

COPY

Do Not Remove

PATENT  
Client Code: PROGNET.001A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of November, 1994

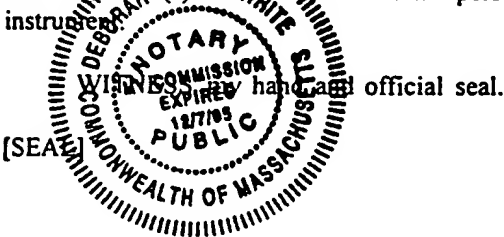
Mark O'Brien  
Mark O'Brien

STATE OF Massachusetts

COUNTY OF Middlesex

]] ss.

On 11/25/94, before me, Belinda White personally appeared Mark O'Brien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



Belinda White  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Thomas B. Boutell

STATE OF

COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Thomas B. Boutell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

Serial No.: Unknown  
Filing Date: Herewith

COPY

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PATENT  
Client Code: PROGNET.001A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Randy Glen Goldberg

STATE OF

COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Randy Glen Goldberg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature



Serial No.: Unknown  
Filing Date: Herewith

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Page 1

ASSIGNMENT

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AND WHEREAS, Progressive Networks, a Washington Corporation, with its principal place of business at 616 First Avenue, Suite 701, Seattle, WA 98104, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Progressive Networks, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Progressive Networks, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said Progressive Networks, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Progressive Networks, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert D. Glaser

STATE OF

COUNTY OF

]] ss.  
]]

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert D. Glaser personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

Serial No.: Unknown  
Filing Date: Herewith

COPY

PATENT  
Client Code: PROGNET.001A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mark O'Brien

STATE OF

COUNTY OF

|| ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mark O'Brien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Thomas B. Boutell

STATE OF

COUNTY OF

|| ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Thomas B. Boutell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

COPY

09 347582

PATENT

Serial No.: Unknown  
Filing Date: Herewith

Client Code: PROGNET.001A

Page 1

ASSIGNMENT

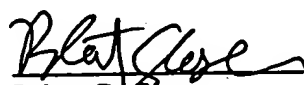
WHEREAS, We, Robert D. Glaser, a United States citizen, residing at 737 Lake Washington Boulevard, Seattle, WA 98122, Mark O'Brien, A United States citizen, residing at 27 Trowbridge, No. 2, Cambridge, MA 02138, Thomas B. Boutell, a United States citizen, residing at 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102, and Randy Glen Goldberg, a United States citizen, residing at 48 Primrose Circle, Princeton, NJ 08540, have invented certain new and useful improvements in a AUDIO ON DEMAND SYSTEM for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Progressive Networks, a Washington Corporation, with its principal place of business at 616 First Avenue, Suite 701, Seattle, WA 98104, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Progressive Networks, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Progressive Networks, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said Progressive Networks, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Progressive Networks, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22 day of November, 1994.

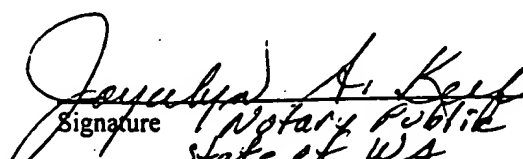
  
Robert D. Glaser

STATE OF WASHINGTON  
COUNTY OF KING ss.

On Nov. 22, 1994, before me, Joyce A. Keefe personally appeared Robert D. Glaser personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Signature Joyce A. Keefe  
Notary Public  
State of WA  
Commission Expires: 10/28/97

REC 1263 MAR 28 94

Serial No.: Unknown  
Filing Date: Herewith

Client Code: PROGNET.001A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mark O'Brien

STATE OF

]] ss.

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mark O'Brien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 22<sup>nd</sup> day of Nov., 1994

Thomas B. Boutell  
Thomas B. Boutell

STATE OF WASHINGTON

]] ss.

COUNTY OF KING

On Nov. 22, 1994, before me, Jocelyn A. Keefe personally appeared Thomas B. Boutell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Jocelyn A. Keefe  
Signature  
Notary Public  
State of WA  
Commission Expires: 10/28/97

REEL 7263 FRAME 290

Serial No.: Unknown  
Filing Date: Herewith

PATENT  
Client Code: PROGNET.001A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Randy Glen Goldberg

STATE OF

⌋  
|| ss.  
⌋

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Randy Glen Goldberg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

ASR-3874:sl  
111894

REEL 7263 FRAME 291

Serial No.: Unknown  
Filing Date: Herewith

PATENT  
Client Code: PROGNET.001A  
Page 1

### ASSIGNMENT

WHEREAS, We, Robert D. Glaser, a United States citizen, residing at 737 Lake Washington Boulevard, Seattle, WA 98122, Mark O'Brien, A United States citizen, residing at 27 Trowbridge, No. 2, Cambridge, MA 02138, Thomas B. Boutell, a United States citizen, residing at 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102, and Randy Glen Goldberg, a United States citizen, residing at 48 Primrose Circle, Princeton, NJ 08540, have invented certain new and useful improvements in a AUDIO ON DEMAND SYSTEM for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Progressive Networks, a Washington Corporation, with its principal place of business at 616 First Avenue, Suite 701, Seattle, WA 98104, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Progressive Networks, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Progressive Networks, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said Progressive Networks, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Progressive Networks, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert D. Glaser

STATE OF

COUNTY OF

⌋  
|| ss.  
⌋

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert D. Glaser personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.


[SEAL]

\_\_\_\_\_  
Signature

REF 7263 FRANK 292

Serial No.: Unknown  
Filing Date: Herewith

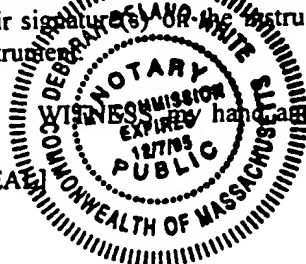
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of November, 1994

  
Mark O'Brien

STATE OF Massachusetts  
COUNTY OF Middlesex

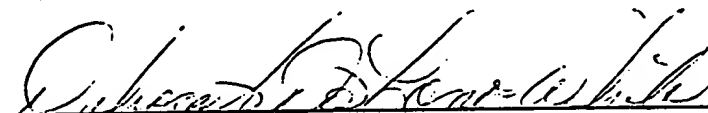
]] ss.

On 11/25/94, before me, Belinda White personally appeared Mark O'Brien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



WITNESS my hand and official seal.

[SEAL]

  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Thomas B. Boutell

STATE OF  
COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Thomas B. Boutell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

REEL 1263 FRAME 293

Serial No.: Unknown  
Filing Date: Herewith

PATENT  
Client Code: PROGNET.001A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Randy Glen Goldberg

STATE OF

COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Randy Glen Goldberg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

ASR-3874:ss1  
111894

REEL 1263 FRAME 294



Serial No.: Unknown  
Filing Date: Herewith

PATENT  
Client Code: PROGNET.001A  
Page 1

### ASSIGNMENT

WHEREAS, We, Robert D. Glaser, a United States citizen, residing at 737 Lake Washington Boulevard, Seattle, WA 98122, Mark O'Brien, A United States citizen, residing at 27 Trowbridge, No. 2, Cambridge, MA 02138, Thomas B. Boutell, a United States citizen, residing at 426 Bellevue Avenue East, Apt. 1, Seattle, WA 98102, and Randy Glen Goldberg, a United States citizen, residing at 48 Primrose Circle, Princeton, NJ 08540, have invented certain new and useful improvements in a AUDIO ON DEMAND SYSTEM for which we have executed an application for Letters Patent in the United States, on even date herewith;

AND WHEREAS, Progressive Networks, a Washington Corporation, with its principal place of business at 616 First Avenue, Suite 701, Seattle, WA 98104, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) each to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said Progressive Networks, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said Progressive Networks, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said Progressive Networks, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said Progressive Networks, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Robert D. Glaser

STATE OF

]] ss.  
]]

COUNTY OF

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Robert D. Glaser personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

REF 1263 FRANE 295

Serial No.: Unknown  
Filing Date: Herewith

PATENT  
Client Code: PROGNET.001A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Mark O'Brien

STATE OF

COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Mark O'Brien personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 19\_\_.

\_\_\_\_\_  
Thomas B. Boutell

STATE OF

COUNTY OF

]] ss.

On \_\_\_\_\_, before me, \_\_\_\_\_ personally appeared Thomas B. Boutell personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

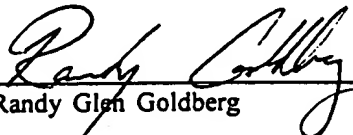
\_\_\_\_\_  
Signature

REL 1263 FRM 296

Serial No.: Unknown  
Filing Date: Herewith

PATENT  
Client Code: PROGNET.001A  
Page 3

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 25 day of Nov, 1994.

  
Randy Glen Goldberg

STATE OF N.J.  
COUNTY OF MIDDLESEX ss.

On 25, before me, Randy Glen Goldberg personally appeared Randy Glen Goldberg personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that they executed the same in their authorized capacity(ies), and that by their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

  
Signature

FIORINA DIGIOVANNI  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Oct. 29, 1996

ASR-3874.ssi  
111894

RECORDED  
PATENT & TRADEMARK OFFICE

NOV 30 94

REEL 1263 FRAME 297